

United States District Court**for the****Eastern District of Washington****Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Francisco Javier Valdovinos Case Number: 0980 2:13CR02087-TOR-1

Address of Offender: [REDACTED] Yakima, Washington 98902

Name of Sentencing Judicial Officer: The Honorable Thomas O. Rice, U.S. District Judge

Date of Original Sentence: June 6, 2011

Original Offense: Importation of Methamphetamine, 21 U.S.C. § 952 and 960

Original Sentence: Prison - 30 months; TSR - 36 months Type of Supervision: Supervised Release

Asst. U.S. Attorney: Shawn N. Anderson Date Supervision Commenced: April 26, 2013

Defense Attorney: Rick Lee Hoffman Date Supervision Expires: April 25, 2016

PETITIONING THE COURT**To issue a summons.**

The probation officer believes the offender has violated the following conditions of supervision:

| <u>Violation Number</u> | <u>Nature of Noncompliance</u> |
|-------------------------|--|
| 1 | <u>Standard Condition # 2:</u> The offender shall report to the probation officer and shall submit a truthful and complete written report within the first 5 days of each month. <u>Supporting Evidence:</u> Mr. Valdovinos failed to report to the U.S. probation office and complete a written report between the first and the fifth of September and October 2015. |
| 2 | <u>Standard Condition # 3:</u> The offender shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer. <u>Supporting Evidence:</u> On September 10, 2015, this officer met with Mr. Valdovinos at his residence and he agreed to contact his counselor at Merit Resource Services (Merit) and re-engage in treatment services. To date, he has failed to contact his treatment counselor. On October 8, 2015, this officer went to the offender's residence and attempted to contact him. I left my business card on his door and the driver's door of his vehicle directing him to report to my office on October 9, 2015, at 11 a.m., but he failed to report as directed. |
| 3 | <u>Special Condition # 16:</u> You shall undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare. |

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You shall contribute to the cost of treatment according to your ability to pay. You shall allow full reciprocal disclosure between the supervising officer and treatment provider.

Supporting Evidence: Mr. Valdovinos was terminated from treatment services at Merit on September 10, 2015, due to noncompliance and failing to attend his counseling sessions.

- 4 **Special Condition # 17:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Mr. Valdovinos signed an admission form on August 13, 2015, admitting to using Tetrahydrocannabinol (THC) on or about July 31, 2015. He also failed to provide random urine specimens at Merit on the following dates: July 15, and 22; August 12, and 18; September 10, and 23, 2015.

- 5 **Standard Condition # 6:** The offender shall notify the probation officer at least 10 days prior to any change in residence or employment.

Supporting Evidence: Mr. Valdovinos was fired from his job on June 19, 2015, and did not disclose this action to the undersigned officer until August 13, 2015.

The U.S. Probation Office respectfully recommends the Court issue a summons requiring the defendant to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: October 14, 2015

s/Stephen Krous

Stephen Krous
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
☐ The Issuance of a Warrant
☒ The Issuance of a Summons
☐ Other



Signature of Judicial Officer

October 14, 2015

Date